

(b) In the event the plan is terminated the pension fund shall be distributed among the participants in a manner determined by the Personnel Officer precluding individual discrimination, by the purchase of annuities or other equitable means of distribution, provided that if the balance in the pension fund exceeds the amount required to fully fund the benefits accrued to the date of termination for all participants who are then active, retired or disabled, or for other payees who are then receiving benefits hereunder, such excess shall be returned to the County.

Section 1-236.

(a) This plan shall not be construed to give any employee the right to be retained in the employ of the County.

(b) In no event shall any portion of the pension fund revert to the County except as provided in Section 1-235 of this Article.

Section 1-237.

(a) For the purposes of this Section, the following terms are defined:

(1) The term "plan date" means the effective date and also refers to each later date which is specified as a plan date for the County in an amendment to this plan by reason of an increase in the benefits to be provided by County contributions for highly compensated employees.

(2) The restricted participants for each plan date will be determined by the Personnel Officer and will consist of the 25 highest paid employees of the County on such date who are or may become eligible for coverage under the plan, excluding any of such employees whose anticipated yearly amount of retirement annuity provided by County contributions is one thousand five hundred dollars (\$1500) or less. Each such employee on a plan date will remain a restricted participant for ten (10) years or, if at the end of such ten (10) years the full current costs of the plan, as defined in Section 1.401-4 (c) (2) of the Federal Income Tax Regulations, are not met, he will remain a restricted participant until the full current costs are funded for the first time.

(3) (i) Unrestricted benefits at any time for a restricted participant will be determined by the insurance company and will be equal to the portion of his coverage provided by his contributions, if any, and by County contributions not exceeding the applicable amount determined as follows:

(ii) An amount will be determined as described below for each plan date on account of which the participant is then a restricted participant, and the applicable amount will be the smallest amount so determined.

(iii) The amount for the initial plan date is equal to the greater twenty thousand dollars (\$20,000.00), or twenty percent (20%) of the first fifty thousand dollars (\$50,000.00) of the participant's average regular annual compensation during his last five (5) years of service with the County, multiplied by the number of years for which the full current costs of the County's plan have been met since the plan date.

(iv) The amount for a plan date which is not the County's initial plan date is equal to the greatest of twenty thousand dollars (\$20,000.00); or the County contributions which would have been applied to provide benefits for the participant if the plan as in effect on the day before the plan date had been continued without change; or the sum of the County contribution which would have been applied to provide benefits for the